

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

Criminal No. 20-175

BRANDON BENSON

**MOTION TO DISMISS COUNT TWO OF THE SUPERSEDING INDICTMENT AS TO
DEFENDANT BRANDON BENSON**

AND NOW comes the United States of America, by its attorneys, Cindy K. Chung, United States Attorney for the Western District of Pennsylvania, and Shaun E. Sweeney, Assistant United States Attorney for said District, and respectfully moves this Honorable Court for an order dismissing Count Two of the Superseding Indictment as to defendant Brandon Benson in the above-captioned case, and in support of this motion avers as follows:

On or about August 26, 2020, a Superseding Indictment was returned by the grand jury in the above case charging defendant Benson, in Count Two, with attempted bank burglary in violation of Title 18, United States Code, Section 2113(a).

On March 3, 2022, the defendant pled guilty in the Court of Common Pleas of Allegheny County to a charge of felony trespass, which charge related to the same conduct which is the basis of the charge in Count Two in the instant case.

The government therefore hereby moves the Court to dismiss Count Two of the Superseding Indictment as to defendant Brandon Benson only.



CINDY K. CHUNG
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/s/Shaun E. Sweeney
SHAUN E. SWEENEY
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